

Kentucky



Gazette

THREE DOLLARS PER ANNUM,

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True to his charge—he comes, the Herald of a noisy world: News from all nations, lumbering at his back."

LEXINGTON, KY. FRIDAY EVENING JULY 15. 1825.

IN ADVANCE

VOL. XXXIX

Political.

FROM THE ARGUS OF WESTERN AMERICA.

LAST APPEAL!!!

JEFFERSON TO THE PEOPLE OF KENTUCKY.

FELLOW-CITIZENS:

All you who are willing to be slaves say, AYE!!!!

The question of legislative right and judicial power has assumed an attitude more portentous than ever. The usurpations of Judges become daily more interesting and more alarming. Assuming the principle that the remedial laws in existence when contracts are made, constitute their obligation, our former Court of Appeals decided, that the legislative power of Kentucky cannot relieve our citizens by delaying the collection of debts in any case whatsoever; thus making void by their fiat, laws which had been enacted by the representatives of the people and immemorially sanctioned by the judicial authority and even by themselves; and in pursuance of the same principle they revived repealed laws and applied them to cases in litigation before them. This power of annulling and reviving laws approached so near direct legislative power, it was predicted that if they were suffered to proceed, we should soon witness *positive and direct judicial legislation*. At the time the decision was given, a considerable majority of the Legislature was in favor of checking usurpation in the bud by removing the Judges from office; but as there was not sufficient strength to remove them by address, the majority made an appeal to the people that they might determine whether they would resist or submit to the new powers assumed by that department of their government. By an increased majority, the people decided in favor of resistance; yet the judges clung to their seats and determined to force their new principles upon a unwilling country. On an attempt to remove them by address, they denied the right of the legislature to remove them in any manner for error of opinion, and declared they would persist in holding and exercising judicial power to the last extremity,

The right of the people through their representatives to correct the errors and aberrations of their government being thus denied and denied no mode of dealing with the obstinate functionaries was left, but a direct exercise of power, and the legislature cast about them to learn in what manner it might be most effectually exerted. By a fair construction of the constitutions of Kentucky and of the United States; by the language employed both by Congress and our Legislature to denominate the acts organizing the two Supreme Courts; by the declaration of the Judges of the Supreme Court of the U. S. that their Court was created by act of Congress; by analogy with the constitutions and laws of other states; by the precedent set and the language used by the democratic party in Congress when legislating out the sixteen federal judges in 1801-2; by frequent removals of judges in our own state, by the abolition of courts; and especially by the republican principle of responsibility and obedience to the public will in all the functionaries of government; it appeared that the Court of Appeals was established and created by acts of the legislature and might be overthrown and destroyed by a repeal of those acts. Through this avenue, therefore, it was determined, that the old Judges should feel the power of the people and our judicial system be purged from the errors which had corrupted its very head. Accordingly all acts of assembly, establishing, organizing and modifying the Court of Appeals were repealed; the old Judges removed by the destruction of their offices; and a new Court organized with a variety of improvements in the system and filled with judges whose known opinions coincide with those of the people and who are united with the legislative and executive power in opposing the encroachments of the federal Judges.

All the departments of our government were now about to move in accordance to the will and in support of the rights of the people, and harmony was about to be restored to a distracted country. But lo, the demon of fact on raises his frightful head and shakes his grizzly beard. A hunting aristocracy, supported by banks, lawyers and mounted men, determined on one more effort to conquer the people and grasp the reins of government. Shouts of *revolution* resound through the state, and the old Judges and their partisans raise the cry of *constitution violated* with the hope of alarming the country into submission to their domination. Meeting succeeded meeting, and such was the noise and clamour raised by our hypocritical Cromwells and Caesars, that the people of other states began to think the citizens of Kentucky were about to crucify their faithful representatives.

At this crisis, the question as to the constitutionality of our replevin laws was before the Supreme court of the United States in 1818 this subject had been agitated before the Circuit Court for the district of Kentucky and both Judges, Todd and Trimble, declared them to be unconstitutional. But contemporaneously with the decisions of our Courts revolting against the power of the people, the subject was again agitated in that tribunal, and Trimble had gone over to the enemy. Todd, however, maintained his integrity and the Court being thus divided the question was carried up to the Supreme Court of the United States. That colossal power seems to have deemed this a fit opportunity to take another fearful stroke in the march of usurpation and consolidation. The din raised by the Court Party here; the reports of public meetings in which the Legislature was denounced with bitter vengeance; every sound that was wafted on the western breeze and the zealous echoes of some of the Kentucky delegation in Congress, inspired that tribunals with the firm conviction, that those who supported the cause of the people were sinking beneath a resistless flood of public indignation, and that now was the time to revit the fetters which they had prepared for free Kentuckians, and ultimately for their fellow citizens in other states. The mandate, therefore, went forth. They did not even deign to say in aid of their Kentucky coadjutors, that replevin laws were unconstitutional; but they at once declared, that none of the state execution laws are obligatory on the federal courts and directed their inferior tribunals to form codes of their own, paying no more regard to state laws than they might think proper.

This decision is founded on a plain perversion of the language and evident intent of Congress, violates one of the fundamental principles of the constitution, and is an outrage on free representative government. By the 34th section of the Judiciary act passed by Congress in 1789, it was provided, that "the laws of the several states except where the constitution, treaties or statutes of the United States shall otherwise require or provide, shall be regarded as rules of decision in trials at common law in the Courts of the United States in cases where they apply." Another act passed at the same session, adopted "the forms of writs and executions except their style and mode of process &c. in suits at common law now used in the supreme court of each state, &c." These acts were repealed in 1792, and another act passed, providing that in the federal courts, "the forms of writs, executions, and other process, except their style, and the forms and modes of proceeding in suits" should be the same in each state as used in the Supreme Court of that state in all common law suits, "subject however to such alterations and additions as the said courts shall, in their discretion, deem expedient, or to such regulations as the Supreme Courts of the United States shall think proper from time to time, by rule, to prescribe to any district or Circuit Court." Provided, that on judgments in any of the cases aforesaid, where different kinds of executions are issuable, in succession, a *cavilis ius facienda* being one, the plaintiff shall have his election to take out a *ca. sa.* in the first instance."

The obvious intent of Congress in all these enactments was, that the federal courts in all their proceedings, should observe the forms of writs and the manner of proceeding in suits, used in the Supreme Court of each state, except that either the inferior or supreme court might change the form and manner whenever they might deem it expedient. But it was ever imagined, that under the expression "*modes of proceeding in suits*" was conferred on the Courts the power to pass execution laws, to subject property to execution not subjected by state laws, to disregard and overturn the whole policy of the states in relation to the tenures both of personal and real property? No! Congress did not intend to transfer such a power to the Courts and they could not have effected it, if they had. The constitution declares, that "*the legislative power of the United States shall be vested in a Congress*," and it impossible that Congress can transfer that power to the Judges. As well might they transfer it to the President, and dissolving themselves, change the government of the United States at once into an absolute monarchy. It is therefore apparent, that Congress did not, and could not transfer the power of passing execution laws to

the Courts, and only intended to direct them in the forms of their proceedings, to observe the rules which prevailed in the state courts, or to alter them at pleasure. Nothing of substance was intended. But the Supreme Court have construed form into substance, and determined that the federal courts may not only alter the forms and modes of proceedings; but under color of this power, disregard the state laws subjecting property to execution or exempting it, and provided codes of their own, wholly variant from and repugnant to the policy of the states on these essential points. They have not, in pursuance of this principle, designed to give us a code of Rules or Laws, coextensive with their jurisdiction and applicable to proceedings in all the District and Circuit courts throughout the Union; but they have left it to the inferior courts to pass the laws which they may think expedient in their respective districts. In obedience to this high authority, the circuit and district Judges in the Kentucky district, have compiled their code for the regulation of the people of this state, which is as follows: [The Rules have already been published in the Argus.]

In this code the Judges have adopted generally what has been the law of Kentucky, making marginal references to the several statutes, as if with a design to cover the enormity of the power exercised by them. But it is evident, that these "Rules" derive their whole binding force, as any they have, from their adoption by the Judges, and not from any enactment of the state Legislature from which parts of them are copied and are just as much an act of direct legislation as if the Judges had placed "be it enacted" at the commencement and used original phrases and new provisions in every rule.

In the first section of this judicial code, our new legislators revive imprisonment for debt, which the representatives of the people had declared should be forever abolished within the limits of Kentucky. Women as well as men are subjected to this barbarous law, and they have the presumption to direct their confinement in Kentucky jails, as if this state is to be made the instrument of her own degradation! The provision relative to the prison bounds in the 5th Rule, is wholly equivocal. If it refers to the bounds as established by the laws of the state existing in 1792, which only, says the Supreme Court, were adopted by the act of Congress, then the bounds are but ten acres. If it refers to the bounds established by our last act of Assembly, then the Judges have adopted a law which was not adopted by the act of Congress, and have thus directly exercised legislative power. The adoption by the judges of that which was not binding without such adoption is as much an act of legislation as would be the adoption of a statute of Ohio by the Legislature of Kentucky. But these "Rules" not only revive imprisonment for debt against men and women in defiance of the policy of the state, but they add to its oppression and injustice as formerly practised under state laws. The 3d and 4th rules authorize the Marshal to release the prisoner from custody on his "tendering to the marshal, lands, slaves or personal property to the value of the debt, damages and costs;" but "if estate to the value of the debt damages and costs," be not tendered, then the debtor is to be delivered to the jailer &c. To deliver up all the debtor has, is of no avail; unless he deliver up enough to pay the demand, to jail he must go, and there is no provision in this iron code which authorizes him, at any subsequent day, to deliver up all he has and thus procure the release of his body. The most barbarous state code I have seen, authorized the release of the debtor after he had surrendered his whole property, and such, all will remember, was the law of Kentucky. This was surely right and politic; for what more could justice exact than all a man has, and surely he cannot accumulate the means of paying debts or even supporting himself and family within the walls of a prison. The code does not inform us who is to support him in this state of living death; but suppose it be the creditor, men may be found who would pay a few cents per day to keep their personal enemy, or those whom they hate, either for their virtues or vices, in perpetual confinement. Is it right thus to place the liberty of a freeman within the grasp of a relentless creditor? Ought one republican to have power to keep another in perpetual confinement because he has had the indiscretion or the misfortune to contract a debt which he cannot pay; or if he permit him to go at large, to hold over him the rod of the tyrant and make him feel at every step and in every act, that his liberty is at the mercy of a fellow citizen? In ancient Rome, the debtor who was unable to pay his debt, might be sold for its amount, and became for a time the slave of the purchaser. This was more politic and more humane than the system prescribed in this new judicial code. It was more politic, because when the debtor had served out his time, the debt was forever discharged, whereas during half a century's imprisonment the debt will not accumulate. It was more humane, because existence in the light of the sun fanned by the pure air of Heaven with power to move and act, is preferable under almost any master, to the gloomy, damp and narrow walls of a prison. And why may not these Judges, on the same power in virtue of which they order as to prison for debt, order us to be sold? Why may they not as well dispose of our liberty to a purchaser who will pay our debt as to a marshal or tycoon who will pay nothing for it? Surely they may sell as well as imprison us, and it would not be very wonderful were we soon to see free Kentuckians set up and sold by the marshal like very negroes! Nor would it be a greater outrage than dragging them to jail for debt, except that the latter has been tolerated!

It should not be forgot, that so far as this code makes imprisonment debt perpetual, it does not find a precedent or apology in any state law which existed in 1792 or at any subsequent day. This is a "Rule" entirely original; to which the people of Kentucky have never been subjected by their own consent or that of their representatives, and is the fruit of that tremendous power over the persons of free citizens which the Judges have dared to assume in defiance of every principle of free government.

The former Judges of our Court of Appeals, declared that all retrospective replevin laws were unconstitutional, and Judge Trimble of the federal court, pronounced the same sentence on all replevin laws whatsoever. Yet this judicial code in its 8th Rule, contains a retrospective replevin law, drawn and assented to by the same Judge Trimble! Both the Judges of the federal Court, some time since, decided that a suit on credit as allowed by the statutes of Kentucky, was unconstitutional, yet that judicial code in its 7th Rule, allows a credit suit of three months, which is adopted and assented to by the same two Judges! The ground of all these decisions was, that replevin and credit suits "impaired the obligation of contracts," and that all state laws allowing them, are therefore unconstitutional and void. Yet these two judges take it upon themselves to "impair the obligation of contracts" without ceremony, and by their adoption, to make a void act of assembly valid and binding! Is not this legislation with vengeance? They first declare a state law unconstitutional and void; they then turn round, pick up this void law, adopt it into their "Rules" and thus make it constitutional and binding!! This exceeds the power of adopting valid state laws; it surpasses the power of making unconstitutional statutes; it is taking that which fell dead from the hands of the people's representatives and breathing life into it! Yes they raise the dead; they give life to that which was born dead; their power exceeds that of the mighty creator; they animate that to which he can give neither life nor motion! Is not this a mockery on the people's power to pass laws by their representatives! Shall the Judges tell them, that replevin laws and credit sales are void, when authorized by the duly enacted laws of the land, but may be made valid by their fiat? Dare they assume legislative powers which they deny to the people! Yes; they dare it. Here is the first fruits of their presumption, and if the people be true to themselves, it will be the last.

It is well known, that when this code was first prepared, it allowed a replevin and a credit sale of twelve months. Whether that looked too much like judicial relief, or whether it placed judicial legislation in too glaring a light, or whether agents and lawyers of the Banks interposed, I know not; but it so happened, that before the bill passed, the replevin and credit sale were reduced to three months. But the same power which could make it twelve months or three, could make it one or a million, and a power which has been declared infinite in the hands of the people's representatives, is now found to reside in *ad latus plenitude* in the breast of the Judges!

It is thus, that the judicial usurpers, state and national, set all consistency at defiance, and relying on their talents and power, are determined to force on the country, their very contradictions as truths sacred as Gospel revelation. Let any man read this judicial code, and then ask himself in sober earnestness, what becomes of all the lawyers clamor about the sacredness of the obligation of con-

tracts and even of the theory itself on which our former appellate judges based their decision? This sacred obligation is not only impaired, but destroyed by the federal judges, according to their own decision, while it would puzzle a Solomon to tell what is now the obligation of numerous contracts according to the decisions of our former judges. They told us, the obligation was the remedial law in existence when the contracts were made. The federal judges pay no regard to those laws but change the remedy and consequently the obligation at their pleasure. And what is the obligation of a contract made now, upon which the creditor may sue either in the federal or state courts? Is it the state laws or this judicial code? Or has it two obligations, a *federal* and a *state* obligation, either of which the creditor may enforce at his pleasure? And is the *state* obligation, *unchangeable*, while the *federal* obligation may be impaired or destroyed according to the whims and caprices of two judges? These absurdities prove the baseless nature of the whole system of judicial usurpation with which Kentucky has been harassed, and would seem sufficient to prevent further strides. But determined usurpers, backed by power, never stop to explain inconsistencies or void absurdities. The right of the states and the people to make laws for their own government, is to be trampled in the dust, and all our arguments, though clear as sunshine and convincing as a voice from Heaven are to be answered by a tap from the marshal ordering us to jail. Caesar did not stop to reason with the Roman Senate, because he had devoted legions at his heels; Cromwell found a pliant army the most effectual answer to all the remonstrances of his parliament; and Bonaparte silenced all the eloquence of the French legislative assembly by the glitter of bayonets. Where there is power and a determination to use it, we seldom find much regard paid to reason or consistency.

But this code contains, if possible, a broader and more alarming instance of direct legislation. The act of Congress adopting the state laws as the execution laws of the federal courts, was passed on the 8th day of May 1792. This act says the Supreme Court, only adopted the state laws *then in existence*. The act of Kentucky subjecting lands to sale under execution was passed Dec. 17th 1792. Of course, this act of Kentucky subjecting lands to execution, was not adopted by Congress, and was not obligatory on the federal courts. Nor has there been, from that day to this, any act of Congress, or any act of our General Assembly, which, according to the principles of the Supreme Court, authorized the marshal to sell the lands of Kentucky by virtue of any process from the federal courts. Yet this judicial code provides, that lands shall be sold under execution by the marshal. This instance of notorious and glaring legislation, is attempted to be covered by adopting some of the early statutes of Kentucky subjecting lands to sale, as the Rules of proceeding for their Marshals; but this veil is again rent asunder and the usurpation presented in its native deformity, by a failure to adopt all the late statutes subjecting lands to valuation &c. They take such of the state laws and reject such as they please, thereby proving that they derive their binding force from their being adopted by the Judges and not from their character as laws of Kentucky. Lands are, therefore, subject to sale by the marshal in this state, only by order of two federal judges. If they can subject lands here by their order in defiance of our valuation laws, they may, by the same right, overturn the permanent policy of Virginia or any other state, by prescribing that their lands shall be sold under execution for what they will bring. What would Virginia, where lands are not subject to sale for debt at all, or Massachusetts where lands are valued and delivered over to the creditor at the appraisement, say the government of the nation, were they to see the policy by which they have been governed for centuries, overturned in one day, by an order of two judges? Would they not hurl the usurping law-makers from their judicial throne, or shake this union to its centre! Would they see the foundations of their permanent policy overthrown without their approbation or consent, and sit down quietly under such a system as *despotism* in the plenitude of its power, might choose to prescribe to them, in lieu of the laws enacted by the people?

It may well be doubted, whether Congress itself has power, by any system of execution laws, to overturn and destroy the systems of the states, whether they have grown out of recent events or been consolidated by the practice of ages. Sure it is, that it is a subject which Congress never dared to touch. The representatives of the people in Congress never dared to direct the imprisonment of debtors contrary to the laws enacted by the representatives of the people in the state legislatures; they have never dared to order the lands of Virginia, Massachusetts and Ohio to be sold for what they will bring and without appraisement, or to interfere with the systems of execution laws of the several states. But what was *never dared* and *never will be* by the legislative power of the Union, which *only* can possess the right if it exist at all, is *dared* by the judicial power, and the systems of the states are to be made the sport of men's caprices who acknowledge no responsibility to the people! It is idle to think of two systems of execution laws in this state or any other. The national courts must conform to those of the states, or those of the states must conform to that of the nation. But which shall prevail, let it not be prescribed by irresponsible judges, but by the representatives of the people!

This judicial code is limited in its operation to the boundaries of Kentucky. It is not a national law obligatory through the Union; but is made for exclusive use in this state. It is legislation for Kentucky by a power distinct from that of her representatives and irreducible to her people. She is treated like the *province of a great empire*, over which *proconsuls* or *governors* exercise the power of the *dictator king*. The Supreme Court do not, because yet they dare not, adopt an uniform code of execution laws for the whole empire which they aim to control; but they suffer the principle to operate and advance by degrees, through the agency of their inferior tribunals. The local Judges can adapt their codes in some degree to the customs and usages of the people, taking a clause here and there from the state laws, and fortifying themselves by abundant references, showing the source of the principles which they adopt. All these codes in the various states will be made gradually to depart from the state systems and assimilate themselves to each other, until, in the end, the mask will be thrown off and the supreme court come out with its universal system which shall pervade the Union and eventually force all the states to conform their codes to its stern provisions. Thus will Hamilton accomplish his grand object, and through the agency of an independent judiciary will the state governments, the chief shield of civil liberty, be annihilated or reduced to insignificance and contempt.

There is another circumstance attending these judicial laws which stamps their character and gives us a forte taste of what may be expected by ready submission to the power which has passed them. Although they direct the body of the debtor to be imprisoned contrary to every known law in Kentucky; although they prescribe a replevin, credit sales and sales *offland* in a form unknown to the laws of the state; and although they enter into numerous details which it is essential for the unfortunate debtor to know; yet no order was made for their publication. It was always a rule in Imperial Rome, in despotic France, in degraded Russia, and indeed in every government ancient and modern, free or despotic, that no law shall be obligatory until it be published or placed where the citizen can approach it with ready access. It is mentioned as one of the most damning traits in the character of a Roman tyrant, that he wrote his decrees in a character so small and posted them so high, that the Roman people could not read them, and then punished them for disobedience! The United States and every state in the Union incur much expense in giving publicity to their laws for the information of the people. But here is a code of judicial laws, designed for the government of the people of Kentucky, imprisoning their bodies and changing the modes of transferring their property, which lies buried in the Record Book of the Clerk, to which none of right have access, except the officers of the Court. It is owing to Newspaper Editors, and not to the order of the Judges, that it has seen the light of day and been held up to public wonder and execration. It would seem that under this new system, the freemen of Kentucky are to be treated worse than the vassals of eastern despotism and as bad as the victims of the Roman tyrant.

They are to lose their property and liberty in pursuance of decrees which they could never see and of which, except by the unofficial agency of others, they would be entirely ignorant. They are to be seized by the Marshal with his *Lettre de cachet* without knowing why or wherefore, and shut up in some modern Bastile. The proud freeman, the unfortunate widow and the humble maid

are all alike subject to this irresponsible, secret and tremendous power.

By the 4th Rule, the Judges, by their exceptions, virtually assert the right of submitting to execution every species of property now reserved by state laws, even the widow's right of dower. A man has a qualified property in his wife and child, and what shall prevent that sovereign power which can subject his body to imprisonment and sweep every other species of property under the hammer, from directing the wife and child to be sold, until their labor shall have paid the debt of their husband or father? I do not believe the passions and corruptions of this Republic have reached in their excesses, those of ancient Rome; but it becomes us to avoid the principles which were there abused to the vilest of purposes. There a corrupt Praetor, through his foul instruments, sometimes caused the lovely virgin to be sold for her father's debt, and made her the victim of his foul lusts. We do not fear such consequences now, because our Judges and Marshals are not unprincipled and so base. But look at the power they assume. It is that of imprisoning our bodies and selling our properties, even to the labor of our wives and children. Think how, by a single and secret order, they may direct the widow, wife and daughter to be seized and put at the will of a merciless creditor, and you may have some idea of the extent of the power which is assumed and the danger of its future abuses when the sceptre shall pass into hands less pure.

Shall we sleep, like the Romans, until roused by some indignant Virginian, made desperate by the ravishment of a beloved daughter! Shall our state be made a *province*, and ourselves be subjected to laws, in the making of which we have no voice? Why did our fathers sever the British empire and raise up this splendid republic out of the dismembered fragment? It was not because the tax or three pence per pound upon tea, was oppressive, or because they were unwilling to pay it; provided it had been levied by their own representatives and applied to the support of a government in which their voice could be heard. But it was the *principle* asserted by the British parliament in laying this tax, which drew the sword from its scabbard and drenched a continent in blood. Men who were not elected by them and not responsible to them, assumed the right to make laws for their government, to bind them in all cases whatsoever. It was this *claim* of power, not its oppressive *exercise*, which excited our forefathers even to blood. There was no interference with the codes adopted by the provincial legislatures for the

between England and the United States of La Plata. When Mr Canning laid the last of those papers before the House, there were long and loud cheers from all sides of the House.

The health of the King of England was considered to be in a very precarious state.

FOREIGN NEWS.—The Greeks triumph—The Irish Catholics are proscribed—The Spanish Catholics are rising against the absolute government—and two parties are forming in Great Britain and Ireland; the one to advocate Catholic emancipation and the other to oppose it. At the head of the former is George IV, and Mr. Canning; at the head of the other his Grace of York and Lords Liverpool and Eldon.

NEW STEAM ENGINE.

A Steam Engine has been invented by Mr. Lambert, of this city, and for which he has received letters patent from the President of the United States, upon a perfectly new and novel principle. Like Perkin's improvement, he proposes to obtain a locomotive power in one fourth part of the space now occupied by the boilers, upon the different plans of engines now in use. But he differs from that celebrated mechanic evidently in the method of generating steam. He is confident that the saving of fuel will be immense. In the steam boat upon which he is now making his experiment, he supposes that two bushels of coal will be amply sufficient to work the engine for twenty-four hours. His improvement consists in a strong cast iron steam generator, which is heated to a given point, when a portion of steam, heated to a low temperature, is introduced from a boiler of very small dimensions—which coming in contact with the high temperature of the steam generator, becomes immediately heated to great elasticity, which is let off in a cylinder, with a common piston; and upon the return stroke the same process is repeated, and so alternates. We consider it as a great improvement upon Perkin's plan. In one case, cold water is introduced into the steam generator, under a very high pressure, and by small quantities at a time; while on the other, steam is introduced, of the elasticity of 212 deg. of temperature, on the common boiling point.

Having formerly witnessed the result of an experimental engine made by this gentleman, some time since, which perfectly succeeded for some time, while in action, until an unavoidable accident happened to it, and which now can be perfectly guarded against,—we feel no hesitation in pronouncing our entire conviction that it will succeed fully to the expectations of its ingenious inventor. It will form a new era in steam engineering & obviate all the objections now made to the steam engine, for locomotive power; particularly for propelling carriages upon rail ways, or upon even turnpike roads. A few gallons of water, and a very few pounds of coal, will be sufficient to give a generating power equal to the largest steam engine now in use. He is constructing a very neat engine upon this principle, and in the course of a short time, the citizens of New-Orleans will be gratified with witnessing this splendid improvement, by actual observation. It is worthy of remark, that the first experiment to demonstrate the correctness of his new principle for generating elastic power he made in 1817, a long time before Mr. Perkins had conceived his improvement. The result of that experiment, we had the pleasure of witnessing ourselves.

There cannot remain a doubt that when he brings his improvement to perfection, that it will remunerate him immensely, and entail upon mankind the greatest obligation.

Orleans Gazette.

Messrs Editors.

I have perused with some interest a piece in your paper, respecting those stupendous bones lately brought up to this city from below. I was induced to call and see them, and was much gratified in witnessing those singular monuments of a world before the flood.

I noticed also in the 'Louisiana Advertiser' of the 1st inst. a communication upon that subject, which I am inclined to believe has assigned a wrong office to the large bone. It is evidently a portion of the upper jaw.—The writer supposes that it is a scapula or shoulder bone. This appears impossible, as the depressions and eminences formed by the convolutions of the brain are plainly to be seen upon it. If the writers physiology is correct, it is difficult to conceive what class of animals it belonged to, unless, like him, this nondescript had brained seated below his shoulders, if so as the writer observes, it must be an innominate and quite anomalous to all animals that have come under our scrutiny."

CUVIER.

ibid

SINGULAR PHENOMENON.

On the evening of the 1st inst. at half after eight o'clock the water in the Mississippi at Fort St. Philip, and for three or four hundred yards above, rose suddenly from six to seven feet perpendicular, so as to throw logs of the largest size upon the Levee, and many between three and four feet diameter some distance over it, carrying off the garden fence and bearing down all the fruit trees in its direction for some distance.

It is supposed the whole time occupied by this extraordinary rise could not have exceeded seven or eight minutes, some say less than five from the commencement until the waters had retired. The extent of Levee over which the waters were forced does not appear to exceed half a mile; the greatest rise being about two hundred and fifty yards above the glacis, and nearly opposite the middle of the eddy.

On the opposite shore its effect was very incon siderable, and perceptible, for a few hundred yards only.

At the time there was very little wind, and no clouds except at some distance to the N. E. in which direction they appeared pretty heavy.

The only noise heard was that of an immense surge driven towards the shore from the interior of the eddy, and the crashing of timber brought with it.

Fort St. Philip, June 3, 1825.

HINTS TO CHURCH GOERS.

Those of our readers who are in the habit of attending divine service, would we think, very naturally conclude, that the following was written specially for the meridian of Lexington, if not informed to the contrary. We are indebted for it to the National Intelligencer, who assures its readers that it is copied literally from the La-

lies Garland," where it appears as an extract from a London paper.

Said I, do you know what woman that was who went out of the Church this evening, immediately after the last singing was through. O! said my wife, that is Mrs. Fidget. Well, said I, it seems to me, she might as well have staid another minute, and gone out with the rest of the assembly; it would only have added one to the eighty-nine minutes she did stay; she would then have saved her reputation with the audience, and have participated in the blessings so fervently invoked by the Minister. To be sure, said my wife, but you know, one might as well make a wild-cat sit still as one of that family, when the family blood begins to operate. Yes, said Miss Twitter, who is staying at my house, and it always operates, I think. It's a pity, said I, that folks are not better brought up; but this does not appear near so bad to me as it did to see Mr. Hasty get up and go out evidently in a rage, the other evening, because the sermon was a little too long. Ah! said my good old father, who is visiting us, and sat with us by the fire, the house of God is the place to be humble, and meek, and penitent. And, continued he, I could not but be grieved to see many of your congregation, who, while the blessing was pronounced, were busy in getting their hats, putting on their gloves, and opening their pew doors, with an apparent eagerness to get out, scarcely concealed by a regard for decency.—The gate of Heaven, said he, is the place at which we should love to stay, and linger, rather than hurry off. How little can they be sensible of the solemn import of the benediction! We were affected by the earnest and solemn manner in which the old gentleman spoke. It appears to me, said I, that people ought to be willing to stay until service is out, and careful not to disturb others, by coming in after it is begun.—There is one young man who has lately come to our meeting, who seems to make it a point to come in just after the congregation have got still, and the services are begun. I don't know who he is; but he appears as if he got up late, or else wanted to be seen. That's Dr. Camomile, said my wife. He has his patients to visit Sunday mornings, you know, said Miss Twitter, with a shrewd look. Well, said I, until he learns better manners, he shan't have me for a patient. I never mean to look about, said my wife but four or five Sundays ago a young man and woman sat in a pew just before me, who conducted in a very silly manner. That's Mr. Bitterstreet and his new wife, said Miss Twitter, but you must excuse it. It is strange, said my wife; how many improprieties there are committed at church; people take up a psalm book, and read while the minister addresses them—a thing they would think very indecent anywhere else; they will whisper, and drum with their fingers, and in various ways distract those around them; and people too who would not for the world be thought impolite. They will suffer their children to conduct in a manner at church which shows to the whole congregation that they are not governed at home—they—Alas! said I, I wish people had been better brought up.

Ingenious Device.—The Montreal Herald of Saturday week last states that the owner of a raft of fine large timber, on his way to Quebec, for sale, appeared at the custom house, in order to get the raft examined, and the necessary documents for transporting it made out. Unfortunately for him, the gentlemen of the custom house, examined with greater minuteness, indeed, than is common in such cases, and than the trembling owner could have wished; each of the large logs of which it was composed was found to contain a certain number of canisters of the finest Spanish leaf, plug and sugar tobacco; placed there no doubt by the aid of an ingenious pump-borer, and shut up at each end of the logs in a manner that must have inevitably eluded discovery, had not some person employed in the business of concealment given information. The number of canisters seized amounted to 219, each containing about 18 lbs. weight; so that had the speculation prospered, the profits must have been very great. For the future rafts, they will enjoy the special cognizance of the Custom House Officers, as this new method of hermetically sealing tobacco is worthy of being particularly attended to.

Philadelphia July 2 1825.

An Irish gentleman by the name of McGreeves arrived in this city from the county of Tyrone, Ireland he is 8 feet 9 inches high, he has taken lodgings at the house of Mr John McGuigan South seventh street. [Saturday evening Post-

Communications.

TO THE PUBLIC.

On yesterday a hand bill was put into my hands by R. J. Breckinridge Esq. written by himself in which is contained the following paragraph. It was written on the margin of a copy of the debates on the Judiciary bill in Congress in 1802 and is as follows. viz.

"The contemptible federalist who published this volume, has had the impudence, to put in my mouth in this speech, and in one, on page 259, a good deal I did not say, and to make nonsense of some arguments I did use. The two first speeches I made, on page 5 and 134, he has copied literally from Samuel H. Smith's paper, who took the whole debate correctly; but has wantonly departed from Smith in these two last speeches. This memorandum I make, particularly as my last speech is grossly perverted; and its principles are important, and must one day or other prevail, or the constitution will be a dead letter. See Smith's National Intel ligencer for this speech correctly."

I have but a few words to say in reply to the remarks of the author of the handbill, nor should I make those, but that it is known that I had made use of the doctrines of John Breckinridge as contained in Bronson's report of his speech, and am therefore one of those alluded to in the handbill. That John Breckinridge did use the expressions and advocate the principles contained in that report, cannot be doubted for an instant, when the National Intelligencer which he refers to as containing the true report, is examined. The report contained in the Intelligencer as the author of the hand bill allows, corroborates the truth of the report made by Bronson. They differ sometimes in modes of expression, but never in the substance of the principles advocated. Here then, are reporters engaged on the opposite sides of the question, who unite in ascribing the same sentiments to the speaker. Had Mr. Breckinridge formerly denied the report to be true, their accordance on the subject, would have given sufficient ground to have charged them upon him. But Mr. Breckinridge does explicitly allow that the report in the National Intelligencer is correct. Then we can safely refer to that paper as authority. It does in substance and spirit entirely agree with the Federal report or the same speech, and must be received as correct.

PUBLIC MEETING.

A meeting of the people is called at Capt. Fowler's Garden on Wednesday the 27th of the present month; the object of which is to take into consideration the new Code of Laws lately passed by the Federal Court. It is expected that the Candidates for Congress & for the Legislature will attend; and the citizens of the adjoining counties are requested to be present. No subject of more vital interest to the liberty of the country has been presented for consideration since the days of the Revolution than the one proposed to be discussed at this meeting. By the laws enacted by the Federal Judges a new power is assumed unknown to the constitution & at war with all our institutions; which prostrates at one blow the authority of the people in their Legislative assemblies. The liberty & prosperity of every man is subjected to the will and caprice of two Judges, and laws solemnly enacted by the state

In addition to the above, it has been a rule in Congress and no doubt was when that debate took place, to furnish each member with the National Intelligencer at the public expense, and to place it on his desk every morning before the house met. Mr. Breckinridge must have seen his speech in that paper before he wrote his marginal note in the book. He never contradicted the truth of the report, and directly affirms it in his last remarks.

In order to satisfy those who may be curious enough to compare the two together, both can be seen by applying at the office of the Kentucky Gazette. I am sorry that the name of Mr. Breckinridge should be involved in this dispute. His memory is revered by Kentuckians, principally on account of the republican doctrines which he advocated with so much force on various occasions during his public career. His private virtues have never been questioned. It would probably have been better to have adopted a different course in this case. But as I am compelled by necessity, in order to defend my own consistency and veracity, to make use of his name, I trust that it will be a sufficient excuse for so doing.

JOHN M. MC CALLA.

Lexington July 16, 1825.

THE GAZETTE.

FRIDAY EVENING, JULY 15, 1825.

EDITED BY JOHN BRADFORD.

PUBLIC MEETING IN FRANKFORT.

We learn from the Argus, that a public meeting was held in Frankfort on the 11th inst. for the purpose of taking into consideration the rules lately made and adopted by the Federal court in this state for carrying into effect judgments of that court, in which the *cum sa.* is revived, and the execution laws of the state disregarded. The subject was ably discussed by Messrs. White, Bibb, Sharp, Crittenden, &c. for about five hours, before a crowded audience of about 300. Many of the country people went home before the question or the resolutions were taken, and the majority in their favor much less than it would have been, had they remained. On counting the votes there appeared in favor of the resolutions, 314, for the substitute offered in the original resolutions, 73. The resolutions were as follows, and offered by Mr. D. White.

1. Resolved, That in the opinion of this assembly, the constitution of the United States does not authorize Congress to delegate to the Supreme Federal Court, nor the inferior courts the power of either enacting or altering the execution laws of either.

2. That Congress has not by any Legislative enactment, attempted to delegate such authority.

3. That the constitution of the United States does not warrant the exercise of such a power by any tribunal whatever except the representatives of the people in legislative assembly, periodically responsible to them. Therefore.

4. Resolved, That the system of execution laws which has been lately enacted by the Federal Court of this state, under the denomination of 'Rules of Court,' but in themselves essentially laws of the most important character, not only as they affect our rights of property, but endangering personal liberty itself, are wholly unauthorized by any constitution or law whatever; and although we believe that we can never be induced to oppose their execution by physical force, we must declare that we view them as founded on the most unqualified usurpation, and that they ought to be opposed by all constitutional and peaceful means, and through every organ by which the people can speak.

Therefore, and for the purpose of obtaining a restoration of all the constitutional rights of the state and their citizens.

Resolved, That the General Assembly of this Commonwealth be called upon to instruct our Senators and request our Representatives in Congress to propose and urge upon that body, to reorganize the Supreme Federal Court on principles which will insure the protection of the sovereignty of the state over its own soil, and the people's right to rule themselves.

Resolved, That our fellow citizens throughout the state be requested to co-operate with this meeting in measures to produce the proposed reformation, and that the following address be adopted and published in the Argus of Western America and all the other Democratic Journals in the country.

A. CROCKETT, Chairman.

N. RICHARDSON, Secretary.

The resolutions offered by Mr. Crittenden as a substitute to those of Mr. White were,

Resolved, That this meeting do most solemnly protest against the delegation by Congress, to the judiciary, of the power exercised by the Courts of the United States, in the adoption of Rules and regulations for the government of the execution and other process emanating from the said Courts, and that they do deprecate, as violations of the true spirit and meaning of the constitution of the United States, as well as an infringement of the rights or liberties of the citizens of this state, the exercise of legislative powers of any description or character whatever, by the judicial tribunals of the United States.

And further, Resolved, That our Representative in Congress be instructed to use every effort in his power, to put an end to the exercise of such powers by the judicial authorities of the United States in future, and to procure, if possible, the adoption of such regulations, in relation to the execution and other process issuing from the Courts of the United States as shall conform as nearly to the regulations adopted and enforced in the states respectively, as may not be inconsistent with the constitution of the United States; and our said Representative in Congress is further instructed to employ his best exertions to procure the abolition of imprisonment for debt; and also to procure the passage of an act of Congress requiring the concurrence of more than a bare majority of all the Judges of the Supreme Court in every decision whereby a legislative act of any state shall be declared or adjudged to be unconstitutional and void.

Resolved, That our love of the Union, and our firm reliance on the virtue and intelligence of the general government, is sincere and undiminished, and that we look to it with confidence for the correction of all those errors or delinquencies which may have been committed intentionally, or unintentionally in the long course of its administration.

And further, Resolved, That the General Assembly of this state and our fellow-citizens are requested and invited to concur with us in the promotion of the objects and purposes expressed in the foregoing resolutions; and that they be published in all the newspapers of this town.

PUBLIC MEETING.

A meeting of the people is called at Capt. Fowler's Garden on Wednesday the 27th of the present month; the object of which is to take into consideration the new Code of Laws lately passed by the Federal Court. It is expected that the Candidates for Congress & for the Legislature will attend; and the citizens of the adjoining counties are requested to be present. No subject of more vital interest to the liberty of the country has been presented for consideration since the days of the Revolution than the one proposed to be discussed at this meeting. By the laws enacted by the Federal Judges a new power is assumed unknown to the constitution & at war with all our institutions; which prostrates at one blow the authority of the people in their Legislative assemblies. The liberty & prosperity of every man is subjected to the will and caprice of two Judges, and laws solemnly enacted by the state

and national legislature, repealed, modified and revised at their pleasure. These are plain truths to be seen on an examination of the Rules & Laws lately established by the Federal court; and every citizen who can attend on the day named, it is hoped will be present & hear, learn and determine for himself. The people of Kentucky and the citizens of Fayette have been ever foremost in resisting encroachments on their rights; and all recollect with gratification the important meeting held in Lexington on the subject of Federal usurpation in the days Alien & Sedition laws, when Nicholas, Clay and other patriots distinguished themselves as the advocates of freedom and the enemies of usurpation. The present occasion is not less important, and the attack of our liberties more dangerous and alarming. We trust that now as heretofore the people will be found true to the cause of the republic, and the intrepid asserters and defenders of correct principles.

A CALL.

On Saturday last, Mr. Wickliffe asserted in a public speech made at Mr. Taul's barbecue, that he believed that the state house was burnt down last winter by design, in order to conceal the deficiencies and confusion in the acts of the departments of government. On last Monday at the Market house in Lexington, he repeated the assertion when called upon.

I do not disapprove of a strict investigation into the conduct of public officers. But no charge should be made, or insinuated without good evidence. I therefore demand of Mr. Wickliffe to produce the reasons for his belief, in order that the people may judge of their weight.

A CITIZEN.

The following communication was handed to us yesterday, by the carrier of the Reporter, without any information of the source whence it emanated. We conclude it is the piece referred to in the Reporter of Monday last. During the present week several have enquired whether we had received it, as well as whether it had any allusion to the conversation had sometime since at the Post Office door between Mr. Breckinridge and the editor of the Reporter?

The piece itself will not only satisfy that enquiry, but will also explain the reason why it appears in this paper.

Mr. Smith Editor of the Reporter

I have for some time expected to see a series of questions addressed to Mr. R. J. Breckinridge in your paper relative to Transylvania University, as his name was introduced through the medium of your paper to the Public. I have waited in vain and with reluctance now address him, I interfere little in Politics and at this time at the request of my friends I am induced to write a few questions only by the importance of the subject and the near approach of the Election. You will confer a favor by inserting them in your paper or by handing them over to the Editor of the Gazette

Yours, a VOTER.

Robt J. Breckinridge Esq.

Sir Knowing that you are at this time a candidate for the suffrages of the people of Fayette county to represent them in the next Legislature I at the request of many voters now address to you a few lines on the subject of T. University;

a subject with regard to which your sentiments are known only by report, consequently known with little certainty. Those reports however carry with them the belief that you are hostile if not to the T. University, at least to some of the present administration. We are anti-relief men and anxious that Fayette should send an anti-relief ticket, yet we feel that the interest and prosperity of Transylvania University are at stake, that the ensuing session of the Legislature will be important to Kentucky believing that the question which now unhappily agitates the State will be finally decided, that the present is the crisis of our University also we have no doubt, We cannot therefore vote for anti-relief men if they do not support this institution, important as must be the decision of the party question we have determined, considering of how much more importance the T. U. is to us, to vote for any relief candidate who will support it (T. U.)

Having these views we think proper to address you. We wish you to declare what course you will pursue should any resolution be introduced to the Legislature for the benefit of T. U. or for its injury. In the present crisis of affairs neutrality will not suffice; our candidates must pledge themselves to support the University. They must be friends or enemies. By answering the following questions you will oblige Many Voters, Q. 1. Will you support any question introduced to the Legislature for the purpose of endowing T. U. D. Dickerson Thos I

Davis Jas E. 2 Duval M. J. Mary

Davis Lloyd Dubose Edw. E.

Davis Solomon Dugan Joseph

Martin Robt. B.
Martin Jonathan 2
Martin Orwall B. 2
Marr John
Marker Frederick
Maddox Notley
Marshall Mr
Maddison George
Mansfield Isaac
Melin Willis 2
Milton Eliah 2
Miller John T
Miller Geo
Michil David C
Monroe Geo D
Morgan John
Morrison James M
Moore F
Nelson James
Oswall Priscilla
Prall James
Oarker James
Patterson Maj D W
Perrit John
Payne Edw'd
Patterson Eliza
Pilkington Sam
Raffinesque C S 4
Ramsay James
Raine Henry
Railey Wm
Riddle Geo
Riske Miss Susannah
Riley James
Riley Benj
Richardson Wm
Richardson Geo 2
Rice Michael
Robert David
Robinson James 2
Saxton Wm
Shackleford Jno M
Shaunburn Charles
Saunderson Wm
Slaymaker Stephen C
Speak Thos
Sanderson Lemuel
Spears Chas C
Simmons Linza 3
Stevenson Thos J
Shepherd Dicky
Speck David
Stephens Thomas
Stephens Wm
Shelby John
Singleton Daniel 2
Tempy Jacob or John
Theobald Dr Sam
Taylor Leonard
Taylor N P
Tillinghast Dan A
Tindle Isaac
Triplett Robt
Wash Robt.
Whaley Benj
Waters Jas H
Waiting Henry 2
Watkins Geo
Watkins Jacob
Wall Geo. W
Walker Jos W
Waring Jno
Wallace Jas H 2
Wallace Jno 2
Wallace Jos S
Wilson James 3
Wilson Samuel
Wilson Robt S 2
Wilson Edwd
Wingate Joseph
Young Leven 2
Young John T
Young Miss Mary M.
Yeargin David J

Persons calling for names in the above list will please say they are advertised.

J. FICKLIN, P. M.

For Sale.

A valuable tract of about 320 Acres of first Rate LAND;

L YING on Can Run about five miles from Lexington, binding on the Iron Works Road, on which there are two log Cabins and 90 acres cleared; the remainder

Well Timbered with Timber
Of the first Quality,
& furnished with an abundance
Of Stock Water.

This Tract can be very conveniently divided into two tenements, so as to accommodate purchasers who may not incline to purchase the whole.

For terms apply to William Story of Georgetown or John Bradford of Lexington.

28-th

Masonic.

THE GRAND ANNUAL COMMUNICATION of the Grand Lodge of Kentucky will be held at MASON'S HALL in the Town of Lexington, on the last Monday in August next at ten o'clock, A. M. at which time the Grand Masonic Hall will be dedicated

By order, D. BRADFORD, G. Secy

Lexington July 15, 1825. 28-th

SILVER SPOON FOUND.

A N OLD NEGRO WOMAN engaged in the sale of raspberries left a house in Lexington a large SILVER TABLE SPOON sometime last month, which the owner may have by describing it, and paying the expense of this advertisement—The Negro Woman stated she lived four miles from Lexington—she is large and advanced in years. July 15, 1825. 1t

TO RENT. TO RENT.

THE subscriber wishing to decline his present business offers for sale A SMALL ASSORTMENT OF Groceries &c.

The house that he occupies, will be rented to the person purchasing, it is one of the best stands in Town for that business, being near the Upper Market and Court House.

CHAS. CUMMENS

The Goods will be sold at very low wholesale price

28-th

HONEY.

THE Subscriber has on hand and for sale at his Drug & Apothecary Store No. 3, Cheapside, a large quantity of strained Honey by the kg or pound.

JAMES GRAVES.

Lexington, May 12, 1825.—19-th

TO RENT LEASE OR SELL.

A neat small BRICK HOUSE four doors above Mrs. Keen's Inn on Main-Street. Possession is to be given by Mr. Noel, first of August.

WILLIAM S. DALLAM.

June 30, 1825.—27-th

LITERARY NOTICE.

DURING the vacation the subscriber proposes to instruct a private class in MATHEMATICS, provided he receives a sufficient number of applications to authorize the undertaking. Terms will be made known on application at his room in the University, or residence.

THOMAS I. MATTHEWS.

July 9, 1825.—27-th

To Printers !!

FOR SALE at this office, the following PRINTING Materials viz

One Imperial Press and One super Royal Press,

250 lb Pica

200 do Long Primer

186 do Bourgeois

150 do Brevier

46 do Double Pica

25 do Cannon

Together with 5' 7" & 10 lines Pica and other Job letter.

Composing sticks

17 feet double column rules for super royal or imperial paper

7 do double and single fold adverisements.

28 lbs Book and Newspaper Metal scabards.

2 pair medium and super royal chases.

One small job chase

17 pair cases

6 Case stands

14 News Galleries

1 Back

1 Imposing stone and stand &c &c

The whole of the above articles are nearly new and may be had cheap for ready money.

A LIST OF LETTERS,

REMAINING in the Post Office at Nicholas-

Rville Ky. which if not taken out in three months from this date, will be sent to the General Post Office as dead letters.

July 1, 1825

A.

Arnold David

Alford Granville G.

B.

Basye Thomas

Berkely Sarah

Bourne Whiffield

Baker Margaret

Bolter William

Bourne William

Burch Henry

Bourne Abner.

C.

Carter Ephraim

Cauey Martin

Campbell Peter

Curd James T.

Clerk of the Jess

Circuit Court

D.

Deboe Joseph

Davis James

E.

Eart Henry

Frost Stephen

Farra George

G.

George David

H.

Hawkins Thomas

Hays Samuel

Hu'er Moses

Hunter Jesse

Higbee Nancy

Hunter Samuel

Howard Fleet

Harris Nathaniel

Hill Elias

Hogen William

Howard T.

Hill John

J.

Jackson Thomas

Jeffreys Thomas

Jewel Lewis

Kelly Mary

L.

Lynch Josiah

A YOUNG, P. M.

27-th

Handsome Engravings

WILL BE SOLD this day at 3 o'Clock at DANIEL

BRADFORD'S Auction Room a

Handsome collection of

PRINTS & DRAWINGS.

Fit both to frame and for the CONNOISSEUR'S Scrap

Saturday July 9. 1t

FIRST DAY.

February 8th, 1825.

No 19 the First.

No 31 the Second.

No 27 the Third.

SECOND DAY.

March 14th 1825.

No 29 the First.

No 21 the Second.

No 13 the Third.

THIRD DAY.

June 13th, 1825.

No 22 the First

No 32 the Second

No 17 the Third

Which enables the Manager to announce to the Public the following pleasing result:

Ticket having the combination 17, 22, 32, is entitled

to 2000 Dollars, and is jointly owned by the MASTER

BUILDER of the Grand Masonic Hall and JOB H

PINE, the father of the Manager.

Ticket 19, 27, 31, is entitled to 1000 Dollars, and is owned by Miss Taylor of Frankfort.

Ticket 13, 21, 29, is entitled to 500 Dollars, and is owned by Messrs Joseph S. Winter and John Cham-

bin, of Lexington.

The 32 Tickets having on them Nos. 22, 32, each

entitled to 100 Dollars, were handsomely distributed

abroad, there being only four or five lost in Lexington.

The 32 Tickets having on them Nos. 19, 27, 31, each

entitled to 50 Dollars—the 32 Tickets having on them Nos. 17 and 22, each entitled to 25 Dollars—the Tickets

having on them Nos. 19, 27, or 31, each entitled to 10 Dollars—the Tickets having on them Nos. 13 and 21—13 and 29—21 and 29, or 27 and 31, each to 5 Dollars.

Such Tickets as may have Nos. 13 or 19, or 21, or 27, or 31, each entitled to 2 Dollars.

All other Tickets are Blanks.

Lands for Sale.

THE subscribers wish to sell their farms on which

they live in the county of Mercer on Salt river

seven miles below Harrodsburg and one mile west of

New Providence Church containing near

300 Acres each:

The land is of good quality well wa-

tered and timbered, with good im-

provements orchards and buildings.

Also one tract containing 165 acres, nine miles below

Harrodsburg on Salt River, on which James McAffee lives: Good Land, well watered with good

water.

Best chewing Tobacco,

Best Kentucky Spanish and common

SEGARS.

Scotch, Rappie and Maccooba Snuff

of superior quality, Wholesale or Retail.

W. H. N. Has recently commenced the manufac-

ture of



POETRY.

SELECTED.
WE ARE SEVEN.
A simple child dear brother Jim
That lightly draws its breath,
And feels its life in every limb,
What should it know of death?

I met a little cottage girl;
She was eight years old she said;
Her hair was thick with many a curl
That clustered round her head.

She had a rustic, woodland air.
And she was wildly clad;
Her eyes were fair, and very fair;
—Her beauty made me glad.

"Sisters and brothers, little maid,
How many may you be!
"How many? seven in all she said,
And wondering looked at me.

And where are they? I pray you tell?"
She answered, "Seven are we;
And two of us at Conway dwell,
And two are gone to sea."

Two of us in the church yard lie,
My sister and my brother;
And in the church yard cottage, I
Dwell near them with my Mother."

You say that two at Conway dwell,
And two are gone to sea,
Yet ye are seven? —I pray you tell,
Sweet Maid how may this be?"

Then did the little maid reply,
"Seven boys and girls are we;
Two of us in the church yard lie
Beneath the church yard tree."

"You run about my little maid,
Your limbs they are alive;
Twice in the church yard laid,
Then ye are only five."

"Their graves are green, they may be seen,"
The little maid replied,
Twice steps or more from Mother's door,
And they are side by side.

My stocking there I often knit,
My kerchief there I hem,
And there upon the ground I sit—
I sit and sing to them.

And often after sunset, sir,
When it is light and fair,
I take my little porringer,
And eat my supper there.

The first that died was little Jane,
In bed she morning lay,
Till God released her of her pain.
And then she went away.

So in the church-yard she was laid;
And all the summer dry,
Together round her grave we played,
My brother John and I.

And when the ground was white with snow;
And I could run and slide,
My brother John was forced to go;
And he lies by her side."

"How many are you then?" said I,
"If they two are in Heaven?"
The little maiden did reply,
"O master! we are seven."

"But they are dead; those two are dead!
Their spirits are in Heaven!"
Twas throwing words away; for still
The little maid would have her will,
And said, "nay we are seven!"

ENTERTAINMENT,
AT THE
CROSS
Main street
Lexington,
By Nathaniel M. Simpson;

WELT ACCOMMODATIONS both for Man and Horse
may be had, of the best of the country affords, and
on the best terms.

2 or 3 HACKS
Are constantly kept, for the
accommodation of those who
wish to hire.

May 5th, 1825.—18-tf

Lancasterian Seminary.

THE UNDERSIGNED being associated in the education of youth do pledge themselves to those who may please to patronize their institution, to devote their best efforts to the progress and improvement of their pupils both in moral and literary attainments.

**CLASSICAL AND SCIENTIFIC
DEPARTMENT,**
Under the charge of Mr. O'HARA

TERMS OF TUITION in this Department are as follows:

Classical Course, 10 dollars per quarter of 12 weeks; Scientific Instruction 10 dollars per quarter of do. English Grammar, Ancient and Modern Geography, Seven dollars and fifty cents per quarter of twelve weeks.

The Lancasterian School
Will be under the same regulation as heretofore;—with the exception of a change of the session from five months to twelve weeks.—The terms of tuition will therefore be four dollars per quarter of twelve weeks, including the lessons, slates, pencils, fuel, &c. usually furnished in this institution.

Fraction to be paid in advance.

W.M. DICKINSON,
CHARLES O'HARA.

June 23, 1825.—25-tf

\$100 REWARD IN CURRENCY

WILL be given to the person who will give such information, as will enable us to prosecute to conviction, the person or persons who forcibly entered the Shop of the subscribers on the morning of the 11th inst and took therefrom the sum of —— dollars in Silver, U.S. paper, Commonwealth paper and change Tickets.

A. LOGAN & SON,

Lexington, May 23 1825.—21-tf

Queensware & China.

JAMES HAMILTON, MAIN STREET,

HAS imported direct from Liverpool a large and extensive assortment of Liverpool and China ware selected with care expressly for this market, containing

Blue Printed Dining Ware new and elegant patterns, do. do. Tea do do do.

Plates Twelfers & Muffins,

do. Oval Dishes,

do. Covered do. very handsome,

do. Soup Tureens,

do. Sauce do.

do. Bakers and Nappies,

do. Mugs and Pitchers,

do. Bowls, Basin and Ewers,

do. Teapots, Sugars and Creams,

do. Coffee Bowls and Saucers,

do. Tea cups and Saucers, &c. &c.

Gold Band Tea sets, some very handsome,

Enamelled edged and C. C. ware of every description which will be sold whole sale or retail, at a very small advance for cash.

CASH will be given for a few tons of

HEMP.

Lexington, May 12, 1825.—19-tf.

NOTICE.

ALL persons indebted for the Lexington Public Advertiser, or for Advertisements published in that paper, are requested to call at this Office and settle their respective balances, either by payment of the money or giving a note. Those who do not comply with this notice, cannot expect to be further indulged.

Lexington, May 12, 1825.—19-tf.

WANTED,

A GARDNER for the BOTANIC GARDEN, he must be sober, trusty and skillful. Apply to the Printer.

—ALSO—

An undertaker to quarry Stone—and 100 Cedar or Locust posts 9 or 10 feet long.—Apply as above.

Lexington, May 12, 1825.—19-tf.

HONEY.

THE Subscriber has on hand and for sale at his Drug & Apothecary Store No. 3, Cheapside, a large quantity of strained Honey by the keg or pound.

JAMES GRAVES.

Lexington, May 12, 1825.—19-tf.

JOURNEYMAN BLACKSMITHS.

I will give liberal wages to a few journeymen, well acquainted with the Blacksmith's business, and who can come well recommended.

JOHN EADS.

Lexington March 24, 1825.—12-tf.

NEW GOODS.

THE SUBSCRIBER has just imported from Philadelphia, and is now opening at his Store on Main Street, in Lexington, opposite the Court House, a choice assortment of

GOODS,

Selected with great care by himself;

Among which are the following Articles, viz: Superfine BROAD CLOTHS and CASSIMIRES, ass'd Peice Cloths, Flannels and Baize, assorted Figured and Plain Bombezzets

do Denmark Satins and Silk Stripes

do Irish and Russia Sheetings

Table and Russia Diapers

Irish Linen and Brown Holland

Linens and Cotton Drillings

Furniture Calicoes, and Ginghams.

Wide and narrow Fancy Calicoes

Cotton and Linen Cambricks

Long Lawn and Cotton Handkerchiefs

Jacquet and Mul Mul Muslins

Figured and Plain Socks

Canton Crapé and Crapé Robes

Crapé and Cotton Handkerchiefs

Italian Crapé and Crapé Scarfs

Pink Muslim Robes & White do. with coloured borders

Plain and Figured Silks

assorted

Figured Silks and Gauze Handkerchiefs

Bandana and Black Silk

do

Silk Cotton and Worsted Hose

do

Silk and Beaver Gloves

do

Naivekin, Silk, Twit and Buttons

do

Ribbons, Tapes, Laces and Edgings

do

Tortoise, Tuck and Side Combs

do

Wide and Narrow Domestic Phials

do

Domestic Circassian Plaids and Bed Ticking ass'd.

Furniture and Domestic Checks

assorted

Brown and Bleached Cotton Sheetings

do

Fine Sea Island and common Cotton Shirtings

do

Silk Merveilles and Valenta Vesting assorted

Boiling Cloths, from No. 1 to 7 warranted

Stuff, Mercees and Leather Shoes assorted

Best Madeira and London particular WINES.

Best 4th Proof FRENCH BRANDY.

Best IMPERIAL,

GUNPOWDER and YOUNG HYSON TEAS

LOAF SUGAR, COFFEE AND CHOCOLATE

Allspice, Pepper, Cloves and Mace

Nutmegs, Cinnamon and Mustard

Best Bengal Indigo and Patent Blacking

Madder, Copperas and Alum

Queens, China and Glass Ware, assorted

Window Glass and Cut Nails

Spades and Shovels

Crading and Grass SCYTHES

And a general Assortment of HARDWARE AND CUTLERY.

Those GOODS being laid in very low, and with such great care, that all who may want to purchase will find it their interest to call.

ALEX. PARKER.

Lexington June 9, 1825.—23tf

STATE OF KENTUCKY.

Campbell Circuit, Set.

APRIL TERM, 1825.

Frederick Klette, Complainant, against

Elias P. Smith and others, Defendants.

IN CHANCERY.

I appearing to the satisfaction of the court that the defendant E. P. Smith is no inhabitant of this Commonwealth, and he having failed to enter his appearance herein, agreeably to law and the rules of this court, on the motion of the complainant, by his counsel, it is therefore ordered, that unless the said Defendant E. P. Smith do appear here, on or before the first day of the next July term of this court and answer the Complainant's bill, as far as he will be taken for confessed. And it is further ordered, that a copy of this order be inserted in some duly authorized newspaper published in this Commonwealth for two months successively.

A copy, teste,

JAMES TAYLOR, c. c. c.

June 9, 1825.—23 tfw

HEMP WANTED

THE highest price will be given for merchantable

1 HEMP by J. M. Pike, or Lockerby and McQuatt.

Lex. Sep. 23, 1824.—39-tf

Botanic Garden.

PROPOSALS will be received for the following Work

To Grub and plough about 7 acres of ground.

To pave abt 60 square yards with flat stones.

To lay about 100 Cubic yards of a stone fence.

To put up a Board fence 7 feet high, around part

the ground.